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May 7, 2014

VIA ELECTRONIC AND U.S. MAIL

Ms. Caroline Kwan
Remedial Project Manager
Special Projects Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, New York 10007-1866

Re: Progress Report No. 34 – April 2014
Newtown Creek Remedial Investigation/Feasibility Study

Dear Ms. Kwan:

Anchor QEA is submitting this monthly progress report for the Newtown Creek Remedial Investigation/Feasibility Study (RI/FS) on behalf of the Newtown Creek Group (NCG) Respondents to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). As set forth in Section 42 of said Settlement Agreement, this progress report is divided into the following areas:

1. Actions taken to comply with the Settlement Agreement during the previous month
2. Results of sampling and tests and all other data received by Respondents to the Settlement Agreement during the previous month
3. Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays
4. Work planned for the next 2 months with schedules relating to the overall project schedule for RI/FS completion

1. Actions Taken to Comply with Settlement Agreement during Previous Month

- Several meetings/teleconference calls with USEPA and the City of New York were held in April. The dates of these meetings/calls and the topics discussed during each are as follows:
 - **April 2:** USEPA comments on the draft *Phase 2 Remedial Investigation Work Plan – Volume 2* (Phase 2 RI Work Plan Volume 2); nonaqueous phase liquid delineation sampling program; NCG responses to USEPA comments on the draft final *Phase 2 Remedial Investigation Work Plan – Volume 1* (Phase 2 RI Work Plan Volume 1; non-human health risk assessment-related components); and USEPA reference area selection process
 - **April 3:** Human health risk assessment-related components of the Phase 2 RI Work Plan Volume 1
 - **April 10:** Modeling Workshop No. 4 (updates to the hydrodynamic and sediment transport models and modeling schedule)
 - **April 10:** Responses to USEPA key issues on the Phase 2 RI Work Plan Volume 1
 - **April 11:** Phase 2 field program implementation schedule
 - **April 17:** Point source sampling logistics and planning for City of New York-owned outfalls
 - **April 22:** Revisions to the human health risk assessment-related components of the Phase 2 RI Work Plan Volume 1
 - **April 23:** Revisions to the non-human health risk assessment-related components of the Phase 2 RI Work Plan Volume 1 and NCG responses to USEPA comments on the Phase 2 RI Work Plan Volume 2
 - **April 29:** Technical issues associated with implementing the Phase 2 field program described in USEPA's *Final Groundwater Investigation Work Plan*
- Key issues on the Phase 2 RI Work Plan Volume 1 were provided by USEPA on April 4.
- Responses to comments on the Phase 2 RI Work Plan Volume 2 were submitted to USEPA on April 11.
- The revised Phase 2 RI Work Plan Volume 1, including the *Baseline Ecological Risk Assessment Problem Formulation*, was submitted to USEPA on April 16.

- An e-mail requesting elimination of pharmaceuticals, personal care products, pathogens, and endocrine disruptors (3Ps) from the Phase 2 RI Work Plan Volumes 1 and 2 was provided by USEPA on April 17.
- Key issues on the NCG responses to comments on the Phase 2 RI Work Plan Volume 2 were provided by USEPA on April 18.
- The *Final Groundwater Investigation Work Plan* was provided by USEPA on April 18.
- A site reconnaissance visit to the Greenpoint Energy Center was performed on April 24.
- A letter invoking dispute resolution on the exclusion of 3Ps from the Phase 2 RI Work Plan Volumes 1 and 2 was sent from the NCG to USEPA on April 25.
- The draft final Phase 2 RI Work Plan Volume 1 was submitted to USEPA on April 29.
- The following activities continued in April:
 - Hydrodynamic and sediment transport model development
 - Point sources field reconnaissance site visit coordination
 - Phase 2 field program planning
 - Phase 2 RI Sediment Toxicity and Bioaccumulation Pilot Testing Program (PTP)

2. Results of Sampling and Tests and Other Data Received by NCG Respondents during Previous Month

- The review of the 2010 surface and subsurface sediment tests in the Study Area conducted by National Grid as part of ongoing New York State Department of Environmental Conservation investigations at its upland site was completed. In accordance with Section 7.0 of the 2011 *Remedial Investigation/Feasibility Study Work Plan*, these results have been determined to be suitable for inclusion in the RI/FS.

3. Encountered and Anticipated Problems and/or Delays and Solutions Developed and Implemented to Address Them

- On April 18, USEPA requested that the start of the Phase 2 RI field investigation be delayed to allow for additional time to finalize the Phase 2 RI Work Plan Volumes 1 and 2. Consequently, the Phase 2 field program is scheduled to begin the week of May 19.

4. *Work Planned for the Next 2 Months with Schedules Relating to the Overall Project Schedule for RI/FS Completion*

- Project update meetings and/or teleconferences with USEPA are scheduled for May 7, May 8, and June 12.
- A 3Ps dispute resolution meeting is scheduled with USEPA on May 8.
- The Phase 2 RI field investigation is planned to commence the week of May 12.
- The draft *Phase 2 Quality Assurance Project Plan* and draft *Phase 2 Field Sampling and Analysis Plan – Volume 2* for the groundwater component of the Phase 2 RI field investigation are due to USEPA on or before May 19. Approval of these documents by USEPA is planned on or before June 6. Mobilization for the groundwater-related field work is planned for June 9.
- Review of the preliminary PTP results is pending assay results.

If you have any questions regarding this progress report, please do not hesitate to contact me at (201) 571-0912 (e-mail: jquadrini@anchorqea.com).

Sincerely,



Jim Quadrini, P.E., BCEE
Anchor QEA, LLC

cc: Michael Mintzer, USEPA Region 2 Assistant Regional Counsel
Ian Beilby, NYSDEC, Division of Environmental Remediation
W. David Bridgers, Common Counsel for Newtown Creek Group Respondents
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